The Restriction Requirement

In the restriction requirement, the Examiner asserted that Claims 1, 12, 17, 42, and 55 were generic to a plurality of patentably distinct species comprising an anti-infective oxidant, oxidant, oxidizing agent, hydrophobic polymer, anhydrous alkali iodine oxide salt, hydrogel, proton producing agent, medical device, polymeric materials, and oxidant producing compound; and required election of a single disclosed species.

Applicants elect for examination the species where the oxidant is elemental iodine, the oxidant-producing component is a reducing agent that is an alkali iodide salt and an oxidizing agent that is an alkali iodate salt, the proton donor is glucose oxidase, the polymer is a hydrophobic polymer that is a silicone polymer, and the medical device is an implant. Claims readable on the disclosed species are claims 61-69, 73, 76, 92-93, and 95-96. This election of species is made without traverse; however, Applicants note that should the elected species be found patentable the examination of the application should be extended to include non-elected species.

Respectfully submitted,

Derek P. Freyberg

Attorney for Applicants

Reg. No. 29,250

Customer No. 25213
Heller Ehrman White & McAuliffe LLP
275 Middlefield Road
Menlo Park CA 94025-3506
(650) 324-7014
January 22, 2002

340802 v01.SV (7@YQ01!.DOC) 01/22/02 4:21 PM